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File No. Civil Procedure
Legal Deptt. II/49 (N)

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Subject:— Notifications under the Code of Civil Procedure 1908

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L.D.R.I.No.7429,
dated 18-5-49.

Submitted with reference to H.D. office note at page 4 ante. The High Court proposes to make the following amendments in paragraphs 170, 171 and 172 of Chapter I in the Civil Manual, Vol.I.

1. In paragraph 170 two amendments are proposed. First, for the words "section 135 H of the Bombay Land Revenue Code, 1879, as amended by Bombay Act IV of 1913" it is proposed to substitute "section 135 H of the Bombay Land Revenue Code, V of 1879". Secondly, in the form of certificate, for "section 135H(3) of the Bombay Land Revenue Code, 1879, as amended by Bombay Act IV of 1913" it is proposed to substitute "section 135 H(3) of the Bombay Land Revenue Code, V of 1879". Both the amendments are in order.

2. In paragraph 171, for the words "section 11, Bombay Public Trusts Registration Act XXV of 1935" it is proposed to substitute "section 11 of the Bombay Public Trusts Registration Act, XXV of 1935". The addition is of the words "of the"; for the footnote below this para. it is proposed to substitute the following note:-

"At present Registrars notified under section 4 of the Act are Civil Judges (Senior Division) in the mofussil and all the Judges, including the Chief Judge, of the Court of Small Causes, Bombay, for the City of Bombay".

3. The last amendment is in para.172, namely to substitute the words "section 6 G of the

Mussalman ...

L.D.R.I.No.7429,
dated 18-5-49.

Submitted with reference to H.D. office note at page 4 ante. The High Court proposes to make the following amendments in paragraphs 170, 171 and 172 of Chapter I in the Civil Manual, Vol.I.

1. In paragraph 170 two amendments are proposed. First, for the words "section 135 H of the Bombay Land Revenue Code, 1879, as amended by Bombay Act IV of 1913" it is proposed to substitute "section 135 H of the Bombay Land Revenue Code, V of 1879". Secondly, in the form of certificate, for "section 135H(3) of the Bombay Land Revenue Code, 1879, as amended by Bombay Act IV of 1913" it is proposed to substitute "section 135 H(3) of the Bombay Land Revenue Code, V of 1879". Both the amendments are in order.

2. In paragraph 171, for the words "section 11, Bombay Public Trusts Registration Act XXV of 1935" it is proposed to substitute "section 11 of the Bombay Public Trusts Registration Act, XXV of 1935". The addition is of the words "of the"; for the footnote below this para. it is proposed to substitute the following note:-

"At present Registrars notified under section 4 of the Act are Civil Judges (Senior Division) in the mofussil and all the Judges, including the Chief Judge, of the Court of Small Causes, Bombay, for the City of Bombay".

3. The last amendment is in para.172, namely to substitute the words "section 6 G of the

Mussalman

Mussalman Wakf Act, XLII of 1923" for the words "section 6 G of the Mussalman Wakf Act as amended by the Mussalman Wakf (Bombay Amendment) Act XVIII of 1935". The amendment is formal.

4. The H.D. may be informed that the amendments proposed by the High Court are in order.

Id. D.W.D.
25/5/49

Addl.Secy.

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H.D. may be inform the High Court that there is no objection to the alterations proposed to be made, but the correct way of citing an Act is by its short title. The short title of the Bombay Public Trusts Registration Act, is the Bombay Public Trusts Registration Act,1935, and not Act XXV of 1935.

Sd. J.R.Dhurandhar
26/5
Additional Secretary to Government.

U.R.to H.& L.G.D.,No.5870,dated the 26th May 1949.

MRP.
3/7/56.

Legal Department.

A revised draft amending Government Resolution is sent herewith.

2. In order to give effect to the suggestion made by the Government of India in paragraph 1(ii) of their letter dated the 26th January 1949 at page 15 ante, it is necessary to omit reference to the near relatives of the Rulers or Chiefs or the notables of the States in the rules in Government Resolution, Political and Services Department No.411, dated the 27th February 1941. The revised Government Resolution proposes to amend the rules for this purpose too.

3. Clause III, paragraph (5)(2), provides that an agent duly authorised and resident in or near the locality should invariably be appointed to represent a Ruling Prince or Chief or the heir apparent of such Ruling Prince or Chief in respect of his non-residential property in the Province. Such agent will be subject to British jurisdiction as regards the property. The words underlined are no longer appropriate or necessary and have also been deleted.

Sd. J.R.Dhurandhar
31/5
Additional Secretary to Government.

J.R. to P.& S.D.,No.6145,dated the 1st June 1949.

RP.
/7/56.